



## Staff Report

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**File #:** 18-505

**Version:** 1

**Date:** 11/26/2018

**Item #:** 7.2 b.

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**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Norman Wright, Community Development Director

**SUBJECT:**

Petitioner-Initiated Annexation of Territory Located at 5826 Battle Creek Road SE - 97306  
(Annexation Case No. C-726)

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): South Gateway

**ISSUE:**

Should City Council conduct second reading of Ordinance Bill No. 22-18 annexing, applying City of Salem RS (Single Family Residential) zoning from Marion County UT-10 (Urban Transition 10 Acres), and withdrawing from the Salem Suburban Rural Fire Protection District, for an 11.167-acre property located at 5826 Battle Creek Road SE?

**RECOMMENDATION:**

Conduct second reading of Ordinance Bill No. 22-18 annexing, applying City of Salem RS (Single Family Residential) zoning from Marion County UT-10 (Urban Transition 10 Acres), and withdrawing from the Salem Suburban Rural Fire Protection District, for an 11.167-acre property located at 5826 Battle Creek Road SE.

**SUMMARY AND BACKGROUND:**

This is a petitioner-initiated annexation of an 11.167-acre territory located at 5826 Battle Creek Road SE, including 0.24 acres of right-of-way of Battle Creek Road SE. A vicinity map is included as Attachment 1.

Council held a public hearing on the petition on October 22, 2018, and no testimony in opposition to the annexation was received. Council closed the public hearing, conducted deliberations, and adopted Order No. 2018-08-ANX. Staff mailed notice of the adoption of the order on October 25, 2018. No appeal has been filed.

**FACTS AND FINDINGS:**

On March 6, 2018, Frank Walker submitted an annexation application on behalf of the petitioner and property owner, Linda J. Scott Living Trust (Linda J. Scott). SANDC, Inc. paid the filing fee, and the property owner submitted a valid triple-majority annexation petition.

The facts and findings supporting the annexation, zoning designation, and withdrawal from the district can be found in Ordinance No. 22-18 (Attachment 2).

Pamela Cole  
Planner II

**Attachments:**

1. Vicinity Map
2. Ordinance No. 22-18
3. Exhibit A - Territory Legal Description and Map